

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5435 of 2018

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1. The Union of India through the Director General of Post, Ministry of Communication, Sanchar Bhawan, New Delhi.
 2. The Chief Postmaster General, Bihar Circle, Patna.
 3. The Director, Postal Services (HQ), Office of Chief Post Master General, Bihar, Patna.
 4. The Superintendent of Post Offices, Arrah Postal Division, Arrah (Bihar).
 5. The Director, Account of Posts, Bihar Circle, Patna.

... .. Petitioner/s

Versus

Sriman Narain Ram, Son of Late Sardar Sah, Ex- Sub Post Master, Buxar Gajadharganj Post Office, Under Bhojpur Postal Division, Arrah, Resident of Village- Karath, P.O.- Karath, District- Bhojpur (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sharan (A. S. G.)
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 26-03-2018

Heard learned counsel for the Union of India.

The present writ application has been preferred against the order dated 5th of December, 2016 whereunder and whereby the Central Administrative Tribunal, Patna Bench, Patna while passing the order in O.A. 692 of 2012, has allowed the OA and after setting aside the order of punishment has directed the Appellate Authority to reconsider the matter afresh.

We are satisfied with the facts and circumstances including the law that two different yardsticks have been adopted in



imposition of punishment. The person, who has been involved in making interpolations in the savings ledger, has been exonerated by ordering recovery, whereas the Superior Authority has been dismissed from service. The yardstick adopted by the authorities in imposition of punishment, obviously, does not appeal to the judicial conscience.

The appeal is dismissed.

Let the Appellate Authority reconsider the matter in the light of the direction of the Tribunal.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.03.2018
Transmission Date	NA

